

**TO THOSE INTERESTED IN THE SALTONSTALL-KENNEDY (S-K)
GRANT PROGRAM**

Attached is an application package for the Saltonstall-Kennedy (S-K) Grant program. The Federal Register solicitation notice identifies the priority areas for funding, and contains application instructions and guidelines. Also attached are forms to be completed and returned with the application. Applications (one signed original and nine signed copies) must be received by any of the National Marine Fisheries Service Offices listed in the solicitation notice by close of business **August 20, 1999**. Applications received after that date will **not** be considered, and will be returned. Facsimile applications will **not** be accepted.

Additional information may be obtained from:

Alicia Jarboe, S-K Program Manager
Office of Sustainable Fisheries, F/SF2
National Marine Fisheries Service, NOAA
1315 East West Highway
Silver Spring, Maryland 20910

Telephone: (301) 713-2358

Attachments

Note to Saltonstall-Kennedy Grant Applicants

All Saltonstall-Kennedy (S-K) grant applications are urged to follow closely the guidelines contained in the S-K solicitation for proposals to ensure submission of a complete application. If you would like to receive acknowledgment of receipt of your application, please complete and return the enclosed form.

In completing your application, particular attention should be given to the following items:

Indirect Cost Rate

This program limits the indirect cost rate that may be charged to 25 percent of the total direct costs or the applicant's negotiated indirect cost rate, whichever is less. Applicants with approved indirect cost rates above 25 percent of the total proposed direct costs may use the amount above the 25-percent level up to 100 percent as part of the non-Federal share.

Evaluation of Applications which include Consultants and Contracts

In addition to applying the four weighted criteria in the technical evaluation of applications listed in Section IV.B.1 of the solicitation, in reviewing applications which include consultants and contracts, the technical reviewers will make a determination regarding the involvement of the primary applicant, the proposed allocation of the primary applicant's time, and the proposed costs for the primary applicant's involvement, as outlined in Section IV.B.1.b.

Selection of Consultants/Subcontractors

Section III.D.4.h of the solicitation states that if any portion of the project will be conducted through consultants and/or subcontracts, applicants, as appropriate, must follow procurement guidance in 15 CFR Part 24, "Grants and Cooperative Agreements to State and Local Governments," and OMB Circular A-110 for Institutions of Higher Education, Hospitals, and other Non-Profit Organizations. If a consultant and/or subcontractor is selected prior to application submission, include the name and qualifications of the consultant and/or subcontractor and the process used for selection. The guidance contained in these documents is summarized as follows:

When an applicant proposes to enter into a subaward/contract with a specified organization/individual for the performance of project activities, the applicant is required to describe how the

procurement will be handled. For State and local government applicants, this requirement applies to subawards/contracts that are expected to exceed \$25,000; for all other applicants (non-profit, for-profit, universities, etc.), this requirement applies to subawards/contracts that are expected to exceed \$5,000. This includes costs used to satisfy any non-Federal cost sharing or matching requirements.

In describing how the procurement will be handled, the applicant must state whether it is a competitive bid, competitive negotiation, or sole source. If it is a sole-source procurement, a sole-source justification is required with the application.

Detailed information on a proposed subaward must be provided, including the purpose, period of performance, estimated dollar amount, etc. If the subawardee has been selected at time of application, the applicant must provide with the application the subawardee's name with a breakdown of amounts for all applicable cost categories. If the subawardee has not been selected at time of application, this information will be furnished to the Federal Program Officer upon selection, but prior to award.

If the subaward is a contract for services, only the contractor's name, amount, and description of the type of services to be furnished are required.

In addition to the above, the applicant will be required to maintain a code or standard of conduct and institute a system for contract administration in order to ensure subaward conformance with terms, conditions, and requirements of the contracts.

State Single Point of Contact (Executive Order 12372)

Section V.A.5 of the solicitation indicates that the S-K Program is covered by Executive Order 12372. Any applicant submitting an application for funding is required to complete item 16 on Standard Form 424 (4-92) regarding clearance by the State Single Point of Contact (SPOC) established as a result of Executive Order 12372. Guidelines and a link to the SPOC web site are included in this package.

5 United States Code Appendix Section 2 et seq., and the General Services Administration (GSA) rule on Federal Advisory Committee Management, Title 41 Code of Federal Regulations subpart 101-6.10, the Secretary of Commerce has determined that the establishment of the Advanced Technology Program (ATP) Advisory Committee (the "Committee") is in the public interest in connection with the performance of duties imposed on the Department by law.

The Committee will advise the Director of the National Institute of Standards and Technology (NIST) on ATP programs, plans, and policies.

The Committee will consist of not fewer than six nor more than twelve members appointed by the Director of NIST and its membership will be balanced to reflect the wide diversity of technical disciplines and industrial sectors represented in ATP projects. NIST invites and requests nominations of individuals for appointment to the Committee.

The Committee will function solely as an advisory body, in compliance with the provision of the Federal Advisory Committee Act.

Authority: Federal Advisory Committee Act: 5 U.S.C. App. 2 and General Services Administration Rule: 41 CFR subpart 101-6.10.

Dated: June 14, 1999.

Karen H. Brown,

Deputy Director.

[FR Doc. 99-15584 Filed 6-18-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 960223046-9151-04; I.D. 050799B]

RIN 0648-ZA09

Financial Assistance for Research and Development Projects to Strengthen and Develop the U.S. Fishing Industry

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of solicitation for applications.

SUMMARY: NMFS (hereinafter referred to as "we" or "us") issues this document to describe how you, the applicant, can apply for funding under the Saltonstall-Kennedy (S-K) Grant Program and how we will determine whether to fund your proposal.

Under the S-K Program, we provide financial assistance for research and development projects that address various aspects of U.S. fisheries (commercial or recreational), including, but not limited to, harvesting, processing, marketing, and associated infrastructures.

DATES: We must receive your application by close of business August 20, 1999, in one of the offices listed in section I.E. Applications Addresses of this document. You must submit one signed original and nine signed copies of the completed application (including supporting information). We will not accept facsimile applications.

ADDRESSES: You can obtain an application package from, and send your completed application(s) to, the NMFS Regional Administrator located at any of the offices listed in section I.E. Applications Addresses of this document.

FOR FURTHER INFORMATION CONTACT: Alicia L. Jarboe, S-K Program Manager, (301) 713-2358.

SUPPLEMENTARY INFORMATION:

I. Introduction

A. Background

The Saltonstall-Kennedy Act (S-K Act), as amended (15 U.S.C. 713c-3), established a fund (known as the S-K fund) that the Secretary of Commerce uses to provide grants or cooperative agreements for fisheries research and development projects addressed to any aspect of U.S. fisheries, including, but not limited to, harvesting, processing, marketing, and associated infrastructures. U.S. fisheries¹ include any fishery, commercial or recreational, that is or may be engaged in by citizens or nationals of the United States, or citizens of the Northern Mariana Islands, the Republic of the Marshall Islands, Republic of Palau, and the Federated States of Micronesia.

The objectives of the S-K Grant Program, and therefore the funding priorities, have changed over the years since the program began in 1980. The original focus of the program was to develop underutilized fisheries within the U.S. Exclusive Economic Zone (EEZ).

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), originally passed in 1976, directed us to

give the domestic fishing industry priority access to the fishery resources in the EEZ.

To accelerate development of domestic fisheries, the American Fisheries Promotion Act of 1980 amended the S-K Act to stimulate commercial and recreational fishing efforts in underutilized fisheries.

In the following years, the efforts to Americanize the fisheries were successful to the point that most nontraditional species were fully developed and some traditional fisheries became overfished. Therefore, we changed the emphasis of the S-K Program to resource conservation and management. Funding priorities included a range of conservation and management issues and aquaculture.

In 1996, the Sustainable Fisheries Act (SFA) (Pub. L. 104-297), was enacted. The SFA amended the Magnuson-Stevens Act and supported further adjustment to the S-K Program to address the current condition of fisheries.

The Magnuson-Stevens Act, as amended by the SFA, requires us to undertake efforts to prevent overfishing, rebuild overfished fisheries, insure conservation, protect essential fish habitats, and realize the full potential of U.S. fishery resources. It further requires that we take into account the importance of fishery resources to fishing communities; provide for the sustained participation of such communities; and, to the extent possible, minimize the adverse economic impacts of conservation and management measures on such communities. The Magnuson-Stevens Act defines a "fishing community" as "a community which is substantially dependent on or substantially engaged in the harvest or processing of fishery resources to meet social and economic needs, and includes fishing vessel owners, operators, and crew and United States fish processors that are based in such community." (16 U.S.C. 1802 (16)).

The NOAA Strategic Plan, updated in 1998, has three goals under its Environmental Stewardship Mission: Build Sustainable Fisheries (BSF), Recover Protected Species, and Sustain Healthy Coasts. The S-K Program supports fisheries research and development activities that directly relate to the BSF goal.

The revised objectives for BSF, consistent with the Magnuson-Stevens Act, are:

1. Eliminate and prevent overfishing and overcapitalization.
2. Attain economic sustainability in fishing communities.

¹For purposes of this document, a fishery is defined as one or more stocks of fish, including tuna, and shellfish that are identified as a unit based on geographic, scientific, technical, recreational and economic characteristics, and any and all phases of fishing for such stocks. Examples of a fishery are Alaskan groundfish, Pacific whiting, New England whiting, and eastern oysters.

3. Develop environmentally and economically sound marine aquaculture.

Our goal for the FY 2000 S-K Grant Program announced in this document is to address the needs of fishing communities in terms of the preceding BSF objectives. This goal is reflected in the funding priorities listed in section II of this document. Successful applications will be those aimed at helping fishing communities to resolve issues that affect their ability to fish; make full use of those species that are currently under Federal or state fishery management plans (FMPs) and cultured species; and address the socioeconomic impacts of overfishing and overcapitalization.

The S-K Program is open to applicants from a variety of sectors, including industry, academia, and state and local governments. However, the scope of this program is limited to marine species and Great Lakes species.

B. Changes from the Last Solicitation Notice

We have changed some of the conditions and procedures in this document from the last S-K Grant Program solicitation notice published on March 2, 1998 (63 FR 10191). Therefore, we encourage you to read the entire document before preparing your application.

C. Funding

We are soliciting applications for Federal assistance, pursuant to 15 U.S.C. 713c-3(c). This document describes how you can apply for funding under the S-K Grant Program, and how we will determine which applications we will fund.

Funding for projects depends on an allocation of funds by Congress for the S-K Grant Program in Fiscal Year (FY) 2000, which begins on October 1, 1999. We expect about \$1.5 million to be available for FY 2000. We cannot guarantee that sufficient funds will be available to make awards for all approved applications submitted under this program.

In order to be funded under the S-K Grant Program, applications must propose activities that: address the funding priorities listed in section II of this document; are expected to produce a direct benefit (e.g., tool, information, service, or technology) to the fishing community (as defined in section I.A. of this document); and can be accomplished within 18 months. Acceptable research and development activities include applied research, demonstration projects, pilot or field testing, or business plan development.

However, we will not fund projects that primarily involve infrastructure construction, port and harbor development, or start-up or operational costs for private business ventures. Furthermore, if your proposed project primarily involves data collection, it must be directed to a specific problem or need and be of a fixed duration, not of a continuing nature, in order to be considered.

D. Catalog of Federal Domestic Assistance

The S-K Grant Program is listed in the "Catalogue of Federal Domestic Assistance" under number 11.427, Fisheries Development and Utilization Research and Development Grants and Cooperative Agreements Program.

E. Applications Addresses

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930; (978) 281-9267.

Southeast Region, NMFS, 9721 Executive Center Drive, North, St. Petersburg, FL 33702-2432, (727) 570-5324.

Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213, (562) 980-4033.

Northwest Region, NMFS, 7600 Sand Point Way, NE., BIN C15700, Building 1, Seattle, WA 98115, (206) 526-6115.

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802 or Federal Building, 709 West 9th Street, 4th Floor, Juneau, AK 99801-1668, (907) 586-7224.

F. Electronic Access Addresses

This solicitation and the application package are available on the NMFS S-K Home Page at: www.nmfs.gov/sfweb/skhome.html.

The 1998 updated Executive Summary of the NOAA Strategic Plan is available at: www.strategic.noaa.gov/ and the Magnuson-Stevens Act is available at: www.nmfs.gov/sfa/magact/.

The list of species that are currently under Federal FMPs is in the publication, *Status of Fisheries of the United States*, available at: www.nmfs.gov/sfa/reports.html.

II. Funding Priorities

Your proposal must address one of the priorities listed below as they pertain to marine or Great Lakes species. If you select more than one priority, you should list first on your application the priority that most closely reflects the objectives of your proposal.

If we do not receive proposals that adequately respond to the priorities listed, we may use S-K funds to carry

out a national program of research and development addressed to aspects of U.S. fisheries pursuant to section 713c-3(d) of the

S-K Act, as amended.

The priorities are not listed in any particular order and each is of equal importance.

A. Conservation Engineering

Reduce or eliminate adverse interactions (that affect fishing activity) between fishing operations and nontargeted, protected, or prohibited species (e.g., juvenile or sublegal-sized fish and shellfish, females of certain crabs, Endangered Species Act (ESA)-listed fish, marine turtles, seabirds, or marine mammals), including the inadvertent take, capture, or destruction of such species.

Improve the survivability of fish discarded or intentionally released and of protected species released in fishing operations.

Reduce or eliminate impacts of fishing activity on essential fish habitat that adversely affect the sustainability of the fishery.

B. Optimum Utilization of Fishery Resources Currently under Federal or State Management, and Cultured Species

Reduce or eliminate technical barriers to trade.

Minimize harvest losses.

Develop usable products from economic discards (whole fish discarded because they are an undesirable species, size, or sex, or parts of fish discarded as not commercially useful) and byproducts of processing.

C. Fishing Community Transition

Help fishing communities to address the socioeconomic effects of overfishing and overcapitalized fisheries through such activities as planning and demonstration projects. Specific areas for these activities could include retraining of fishermen for alternative employment, alternative uses for existing fishing industry infrastructure, and planning for fishing capacity reduction. Activities may complement, but should not duplicate, programs available from other Federal, state, or local agencies.

D. Marine Aquaculture in the Off-Shore Environment

Advance the implementation of marine aquaculture in the off-shore environment (i.e., the EEZ) by addressing technical aspects such as systems engineering, environmental compatibility, and culture technology. Applications should demonstrate that

the goal is to support off-shore industry development.

Reduce or eliminate legal and social barriers to off-shore aquaculture development, e.g., legal constraints, use conflicts, exclusionary mapping, appropriate institutional roles.

III. How to Apply

A. Eligibility

To apply for grants or cooperative agreements, you must follow the instructions in this document. You are eligible to apply if:

1. You are a citizen or national of the United States;
2. You are a citizen of the Northern Mariana Islands (NMI), being an individual who qualifies as such under section 8 of the Schedule on Transitional Matters attached to the constitution of the NMI;
3. You are a citizen of the Republic of the Marshall Islands, Republic of Palau, or the Federated States of Micronesia; or
4. You represent an entity that is a corporation, partnership, association, or other non-Federal entity, non-profit or otherwise (including Indian tribes), if such entity is a citizen of the United States or NMI, within the meaning of section 2 of the Shipping Act, 1916, as amended (46 U.S.C. app. 802).

We support cultural and gender diversity in our programs and encourage women and minority individuals and groups to submit applications. Furthermore, we recognize the interest of the Secretaries of Commerce and Interior in defining appropriate fisheries policies and programs that meet the needs of the U.S. insular areas, so we also encourage applications from individuals, government entities, and businesses in U.S. insular areas.

We encourage applications from members of the fishing community, and applications that involve fishing community cooperation and participation. We will consider the extent of fishing community involvement when evaluating the potential benefit of funding a proposal.

You are not eligible to submit an application under this program if you are an employee of any Federal agency; a Regional Fishery Management Council (Council); or an employee of a Council. However, Council members who are not Federal employees can submit an application to the S-K Program.

Our employees, including full-time, part-time, and intermittent personnel, are not allowed to help you prepare your application, except to provide you with information on program goals, funding priorities, application procedures, and completion of

application forms. Since this is a competitive program, we will not provide assistance in conceptualizing, developing, or structuring proposals, or write letters of support for a proposal.

B. Duration and Terms of Funding

We will award grants or cooperative agreements for a maximum period of 18 months.

We do not fund multi-year projects under the S-K Program. If we select your application for funding and you wish to continue work on the project beyond the funding period, you must submit another proposal to the competitive process for consideration, and you will not receive preferential treatment.

If we select your application for funding, we have no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is totally at our discretion.

Even though we are publishing this announcement we are not required to award any specific grant or cooperative agreement, nor are we required to obligate any part or the entire amount of funds available.

C. Cost Sharing

We are requiring cost sharing in order to leverage the limited funds available for this program and to encourage partnerships among government, industry, and academia to address the needs of fishing communities. You must provide a minimum cost share of 10 percent of total project costs, but your cost share must not exceed 50 percent of total costs. (For example, if the proposed total budget for your project is \$100,000, you must contribute at least \$10,000, but no more than \$50,000, toward the total costs. Accordingly, the Federal share you apply for would range from \$50,000 to \$90,000.) If your application does not comply with these cost share requirements, we will return it to you and will not consider it for funding. The funds you provide as cost sharing may include funds from private sources or from state or local governments, or the value of in-kind contributions. You may not use Federal funds to meet the cost sharing requirement except as provided by Federal statute. In-kind contributions are non-cash contributions provided by you as the applicant or by non-Federal third parties. In-kind contributions may include but are not limited to, personal services volunteered to perform tasks in the project, and permission to use, at no cost, real or personal property owned by others.

We will determine the appropriateness of all cost sharing proposals, including the valuation of in-kind contributions, on the basis of guidance provided in 15 CFR parts 14 and 24. In general, the value of in-kind services or property you use to fulfill your cost share will be the fair market value of the services or property. Thus, the value is equivalent to the cost for you to obtain such services or property if they had not been donated. You must document the in-kind services or property you will use to fulfill your cost share.

If we decide to fund your application, we will require you to account for the total amount of cost share included in the award document.

D. Format

Your application must be complete and must follow the format described here. Your application should not be bound in any manner and must be printed on one side only. You must submit one signed original and nine signed copies of your application.

1. Cover Sheet

You must use Office of Management and Budget (OMB) Standard Form 424 and 424B (4-92) as the cover sheet for each project. (In order to complete item 16 of Standard Form 424, see section V.A.5. of this document.)

2. Project Summary

You must complete NOAA Form 88-204 (10-98), Project Summary, for each project. You must list on the Project Summary the specific priority to which the application responds (see section II. of this document).

3. Project Budget

You must submit a budget for each project, using NOAA Form 88-205 (10-98), Project Budget and associated instructions. You must provide detailed cost estimates showing total project costs. Indicate the breakdown of costs between Federal and non-Federal shares, divided into cash and in-kind contributions. To support the budget, describe briefly the basis for estimating the value of the cost sharing derived from in-kind contributions. Specify estimates of the direct costs in the categories listed on the Project Budget form.

You may also include in the budget an amount for indirect costs if you have an established indirect cost rate with the Federal government. For this solicitation, the total dollar amount of the indirect costs you propose in your application must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency prior to the proposed effective date of the award, or 100 percent of the total proposed direct

costs dollar amount in the application, whichever is less. The Federal share of the indirect costs may not exceed 25 percent of the total proposed direct costs. If you have an approved indirect cost rate above 25 percent of the total proposed direct cost, you may use the amount above the 25-percent level up to the 100-percent level as part of the non-Federal share. You must include a copy of the current, approved, negotiated indirect cost agreement with the Federal government with your application.

We will not consider fees or profits as allowable costs in your application.

The total costs of a project consist of all allowable costs you incur, including the value of in-kind contributions, in accomplishing project objectives during the life of the project. A project begins on the effective date of an award agreement between you and an authorized representative of the U.S. Government and ends on the date specified in the award. Accordingly, we cannot reimburse you for time that you expend or costs that you incur in developing a project or preparing the application, or in any discussions or negotiations you may have with us prior to the award. We will not accept such expenditures as part of your cost share.

4. Narrative Project Description

You must provide a narrative description of your project that may be up to 15 pages long. The narrative should demonstrate your knowledge of the need for the project, and show how your proposal builds upon any past and current work in the subject area, as well as relevant work in related fields. You should not assume that we already know the relative merits of the project you describe. You must describe your project as follows:

a. Project goals and objectives.

Identify the specific priority listed earlier in the solicitation to which the proposed project responds. Identify the problem/opportunity you intend to address and describe its significance to the fishing community. State what you expect the project to accomplish.

If you are applying to continue a project we previously funded under the S-K Program, describe in detail your progress to date and explain why you need additional funding. We will consider this information in evaluating your current application.

b. Project impacts. Describe the anticipated impacts of the project on the fishing community in terms of reduced bycatch, increased product yield, or other measurable benefits. Describe how you will make the results of the project available to the public.

c. Evaluation of project. Specify the criteria and procedures that you will use to evaluate the relative success or failure of a project in achieving its objectives.

d. Need for government financial assistance. Explain why you need government financial assistance for the proposed work. List all other sources of funding you have or are seeking for the project.

e. Federal, state, and local government activities and permits. List any existing Federal, state, or local government programs or activities that this project would affect, including activities requiring: certification under state Coastal Zone Management Plans; section 404 or section 10 permits issued by the Corps of Engineers; experimental fishing or other permits under FMPs; environmental impact statements to meet the requirements of the National Environmental Policy Act; or scientific permits under ESA and/or the Marine Mammal Protection Act. Describe the relationship between the project and these FMPs or activities, and list names and addresses of persons providing this information. If we select your project for funding, you are responsible for complying with all applicable requirements.

f. Project statement of work. The statement of work is an action plan of activities you will conduct during the period of the project. You must prepare a detailed narrative, fully describing the work you will perform to achieve the project goals and objectives. The narrative should respond to the following questions:

(1) What is the project design? What specific work, activities, procedures, statistical design, or analytical methods will you undertake?

(2) Who will be responsible for carrying out the various activities? (Highlight work that will be subcontracted and provisions for competitive subcontracting.)

(3) What are the major products? You must include milestones, describing the specific activities and associated time lines to conduct the scope of work. Describe the time lines in increments (e.g., month 1, month 2), rather than by specific dates. You must identify the individual(s) responsible for the various specific activities.

This information is critical for us to conduct a thorough review of your application, so we encourage you to provide sufficient detail.

g. Participation by persons or groups other than the applicant. Describe how government and non-government entities, particularly members of fishing communities, will participate in the project, and the nature of their

participation. We will consider the degree of participation by members of the fishing community in determining which applications to fund.

h. Project management. Describe how the project will be organized and managed. Identify the principal participants in the project. If you do not identify the principal investigator, we will return your application without further consideration. Include copies of any agreements between you and the participants describing the specific tasks to be performed. Provide a statement of the qualifications and experience (e.g., resume or curriculum vitae) of the principal investigator(s) and any consultants and/or subcontractors, and indicate their level of involvement in the project. If any portion of the project will be conducted through consultants and/or subcontracts, you must follow procurement guidance in 15 CFR part 24, "Grants and Cooperative Agreements to State and Local Governments," and 15 CFR part 14, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Non-Profit, and Commercial Organizations." If you select a consultant and/or a subcontractor prior to submitting an application, indicate the process that you used for selection.

5. Supporting Documentation

You should include any relevant documents and additional information (i.e. maps, background documents) that will help us to understand the project and the problem/opportunity you seek to address.

IV. Screening, Evaluation, and Selection Procedures

A. Initial Screening of Applications

When we receive applications at any of the NMFS Regional Offices, we will first screen them to ensure that they were received by the deadline date (see DATES); include OMB form 424 signed and dated by an authorized representative (see section III.D. of this document); were submitted by an eligible applicant (see section III.A. of this document); provide for at least a 10-percent cost share but not more than 50 percent (see section III.C. of this document); involve an eligible activity (see section I.C. of this document); address one of the funding priorities in this document for marine and Great Lakes species (see section II.A.-D. of this document); and include a budget, statement of work, and milestones, and identify the principal investigator (see sections III.D.3. and III.D.4. of this document). If your application does not

conform to these requirements and the deadline for submission has passed, we will return it to you without further consideration.

We do not have to screen applications before the submission deadline, nor do we have to give you an opportunity to correct any deficiencies that cause your application to be rejected.

B. Evaluation of Proposed Projects

1. Technical Evaluation

After the initial screening, we will solicit individual evaluations of each project application from three or more appropriate private and public sector experts to determine the technical merit. These reviewers will be required to certify that they do not have a conflict of interest concerning the application(s) they are reviewing. They will assign scores ranging from a minimum of 60 (poor) to a maximum of 100 (excellent) to applications based on the following criteria, with weights shown in parentheses:

a. Soundness of project design/conceptual approach. Applications will be evaluated on the conceptual approach; the likelihood of project results in the time frame specified in the application; whether there is sufficient information to evaluate the project technically; and, if so, the strengths and/or weaknesses of the technical design relative to securing productive results. (50 percent) *b. Project management and experience and qualifications of personnel.* The organization and management of the project will be evaluated. The project's principal investigator and other personnel, including consultants and contractors participating in the project, will be evaluated in terms of related experience and qualifications. Applications that include consultants and contractors will be reviewed to determine if your involvement, as the primary applicant, is necessary to the conduct of the project and the accomplishment of its objectives. (25 percent)

c. Project evaluation. The effectiveness of your proposed methods to monitor and evaluate the success or failure of the project in terms of meeting its original objectives will be examined. (10 percent)

d. Project costs. The justification and allocation of the budget in terms of the work to be performed will be evaluated. Unreasonably high or low project costs will be taken into account. (15 percent)

Following the technical review, we will determine the weighted score for each individual review and average the individual technical review scores to determine the final technical score for

each application. Then, we will rank applications in descending order by their final technical scores and determine a "cutoff" score that is based on the amount of funds available for grants. We will eliminate from further consideration those applications that scored below the cutoff.

2. Constituent Panel(s)

For those applications at or above the cutoff technical evaluation score, we will solicit individual comments and evaluations from a panel or panels of three or more representatives selected by the Assistant Administrator for Fisheries (AA). Panel members will be chosen from the fishing industry, state government, non-government organizations, and others, as appropriate. We will provide panelists with a summary of the technical evaluations, and, for applications to continue a previously funded project, information on progress on the funded work to date.

Each panelist will evaluate the applications in terms of the significance of the problem or opportunity being addressed, the degree of fishing community involvement in conducting the project, and the merits of funding each project. Each panelist will provide a rating from 0-4 (poor to excellent) for each project, and provide comments if they wish. Panel members will be required to certify that they do not have a conflict of interest and that they will maintain confidentiality of the panel deliberations.

Following the Constituent Panel meeting, we will average the individual ratings for each project. We will then develop a ranking of projects based on the individual ranks within each of the priority areas.

C. Selection Procedures and Project Funding

After projects have been evaluated and ranked, we will use this information, along with input from the NMFS Regional Administrators (RAs) and Office Directors (ODs), to develop recommendations for project funding. RAs/ODs will prepare a written justification for any recommendations for funding that fall outside the ranking order, or for any cost adjustments.

The AA will review the funding recommendations and comments of the RAs/ODs and determine the projects to be funded. In making the final selections, the AA may consider costs, geographical distribution, and duplication with other federally funded projects. Awards are not necessarily made to the highest ranked applications.

We will notify you in writing whether your application is selected or not. If

your application is unsuccessful, we will return it to you. Successful applications will be incorporated into the award document.

The exact amount of funds, the scope of work, and terms and conditions of a successful award will be determined in preaward negotiations between you and NOAA/NMFS representatives. The funding instrument (grant or cooperative agreement) will be determined by NOAA Grants. You should not initiate your project in expectation of Federal funding until you receive a grant award document signed by an authorized NOAA official.

V. Administrative Requirements

A. Your Obligations as an Applicant

You must:

1. Meet all application requirements and provide all information necessary for the evaluation of the proposal, including one signed original and nine signed copies of the application.

2. Be available to respond to questions during the review and evaluation of the proposal(s).

3. Submit a completed Form CD-511, "Certification Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying." The following explanations are provided:

a. Nonprocurement debarment and suspension. Prospective participants (as defined at 15 CFR 26.105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies;

b. Drug-free workplace. Grantees (as defined at 15 CFR 26.605) are subject to 15 CFR part 26, subpart F, "Governmentwide Requirements for Drug-Free Workplace (Grants)," and the related section of the certification form prescribed above applies;

c. Anti-lobbying. Persons (as defined at 15 CFR 28.105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions," and the lobbying section of the certification form applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000, and loans and loan guarantees for more than \$150,000; and

d. Anti-lobbying disclosures. Any applicant who has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, appendix B.

4. If applicable, require applicants/bidders for subgrants, contracts,

subcontracts, or other lower tier covered transactions at any tier under the award to submit a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is intended for your use and should not be sent to the Department of Commerce (Commerce). You should send an SF-LLL submitted by any tier recipient or subrecipient to Commerce only if your application is recommended for funding. Instructions will be contained in the award document. We will provide you with all required forms.

5. Complete Item 16 on Standard Form 424 (4-92) regarding clearance by the State Point Of Contact (SPOC) established as a result of E.O. 12372. You can get the list of SPOCs from any of the NMFS offices listed in this document or from the S-K Home Page (see section I.F. Electronic Access Addresses of this document). It is also included in the "Catalog of Federal Domestic Assistance." You must contact the SPOC, if your state has one, to see if applications to the S-K Program are subject to review. If SPOC clearance is required, you are responsible for getting that clearance in time to submit your application to the S-K Program by the deadline.

6. Complete Standard Form 424B (4-92), "Assurances—Non-construction Programs."

B. Your Obligations as a Successful Applicant (Recipient)

If you are selected to receive a grant award for a project, you must:

1. Manage the day-to-day operations of the project, be responsible for the performance of all activities for which funds are granted, and be responsible for the satisfaction of all administrative and managerial conditions imposed by the award.

2. Keep records sufficient to document any costs incurred under the award, and allow access to these records for audit and examination by the Secretary of Commerce, the Comptroller General of the United States, or their authorized representatives; and, submit financial status reports (SF 269) to GMD in accordance with the award conditions.

3. Submit semiannual project status reports on the use of funds and progress of the project to us within 30 days after the end of each 6-month period. You will submit these reports to the individual identified as the NMFS Program Officer in the funding agreement.

4. Submit a final report within 90 days after completion of each project to the NMFS Program Officer. The final report must describe the project and include an evaluation of the work you performed and the results and benefits in sufficient detail to enable us to assess the success of the completed project.

We are committed to using available technology to achieve the timely and wide distribution of final reports to those who would benefit from this information. Therefore, you are required to submit final reports in electronic format, in accordance with the award terms and conditions, for publication on the NMFS S-K Home Page. You may charge the costs associated with preparing and transmitting your final reports in electronic format to the grant award. We will consider requests for exemption from the electronic submission requirement on a case-by-case basis.

We will provide you with OMB-approved formats for the semiannual and final reports.

5. In addition to the final report in section V.B.4. of this document, we request that you submit any publications printed with grant funds (such as manuals, surveys, etc.) to the NMFS Program Officer for dissemination to the public. Submit either three hard copies or an electronic version of any such publications.

C. Other Requirements of Recipients

1. Federal Policies and Procedures
If you receive Federal funding, you are subject to all Federal laws and Federal and Commerce policies, regulations, and procedures applicable to financial assistance awards. You must comply with general provisions that apply to all recipients under Commerce grant and cooperative agreement programs.

2. Name Check Review
You may be subject to a name check review process. We use name checks to determine if you or any key individuals named in your application have been convicted of, or are presently facing, criminal charges such as fraud, theft, perjury, or other matters that significantly reflect on your management, honesty, or financial integrity.

3. Financial Management Certification/Preaward Accounting Survey

You may, at the discretion of the NOAA Grants Officer, be required to have your financial management systems certified by an independent public accountant as being in compliance with Federal standards specified in the applicable OMB

Circulars prior to execution of the award. If you are a first-time applicant for Federal grant funds, you may be subject to a preaward accounting survey by Commerce prior to execution of the award.

4. Past Performance
Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding.

5. Delinquent Federal Debts
We will not award any Federal funds to you or any subrecipients who have an outstanding delinquent Federal debt or fine until either:

- The delinquent account is paid in full,
- A negotiated repayment schedule is established and at least one payment is received, or
- Other arrangements satisfactory to Commerce are made.

6. Buy American
You are encouraged to the extent feasible to purchase American-made equipment and products with the funding provided under this program.

7. Preaward activities
If you incur any costs prior to receiving an award agreement signed by an authorized NOAA official, you do so solely at your own risk of not being reimbursed by the Government. Notwithstanding any verbal or written assurance that you may have received, there is no obligation on the part of Commerce to cover preaward costs.

8. False statements
A false statement on the application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment (18 U.S.C. 1001).

Classification

Prior notice and an opportunity for public comments are not required by the Administrative Procedure Act or any other law for this notice concerning grants, benefits, and contracts.

Furthermore, a regulatory flexibility analysis is not required for purposes of the Regulatory Flexibility Act.

This action has been determined to be not significant for purposes of E.O. 12866.

Applications under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The collection of this information has been approved by OMB under control numbers 0348-0040, 0348-0043, 0348-0046, and 0648-0135. Notwithstanding any other provision of law, no person is

required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to

the requirements of the PRA unless that collection of information displays a currently valid OMB control number.

A solicitation for applications will also appear in the "Commerce Business Daily."

Dated: June 15, 1999.

Penelope D. Dalton,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. 99-15723 Filed 6-18-99; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 060899A]

Marine Mammals; File No. P466B

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Receipt of application for amendment.

SUMMARY: Notice is hereby given that Scott D. Kraus, Ph.D., Edgerton Research Laboratory, New England Aquarium, Central Wharf, Boston, MA 02110-3309, has requested an amendment to scientific research Permit No. 1014.

DATES: Written or telefaxed comments must be received on or before July 21, 1999.

ADDRESSES: The amendment request and related documents are available for review upon written request or by appointment in the following office(s): Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910 (301/713-2289);

Regional Administrator, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930, (978/281-9250); and

Regional Administrator, Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432 (813/570-5312).

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this

particular amendment request would be appropriate.

Comments may also be submitted by facsimile at (301) 713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Please note that comments will not be accepted by e-mail or other electronic media.

FOR FURTHER INFORMATION CONTACT: Ruth Johnson 301/713-2289.

SUPPLEMENTARY INFORMATION: The subject amendment to Permit No. 1014, issued on August 29, 1996 (61 FR 51688) is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR parts 222-226).

Permit No. 1014 authorizes the permit holder to: take up to 350 northern right whales (*Eubaleana glacialis*) by harassment during approach closer than 100 feet by vessel or less than 1000 ft. by aircraft. Of these 80 may be biopsy darted; 10 radio tagged, 15 satellite tagged, and 50 ultrasonically measured; collect tissue samples dead stranded animals and exported to Canada, South Africa, New Zealand, Australia and England; and export 100 samples taken legally in other countries.

The permit holder requests an amendment to: play sounds back to up to 100 right whales annually. Sounds projected will not exceed the sound pressure levels found in the normal oceanic environment. Additionally, up to 50 whales will be tagged with suction-cup acoustic recording tags to determine received sound levels from both playback experiments and controlled vessel approaches.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: June 10, 1999.

Ann D. Terbush,

*Chief, Permits and Documentation Division,
Office of Protected Resources, National
Marine Fisheries Service.*

[FR Doc. 99-15720 Filed 6-18-99; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. 980326078-9120-02]

Internet Usage Policy

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Notice.

SUMMARY: The Patent and Trademark Office (PTO) is publishing the final Internet usage policy to provide guidance to PTO employees regarding the use of the Internet for official PTO business. The policy covers communications with applicants via Internet electronic mail (e-mail), and using the Internet to search for information concerning patent applications and elements appearing in trademark applications. Guidelines for citing electronic information are provided in the attachment.

DATES: The Internet usage policy is effective June 21, 1999.

FOR FURTHER INFORMATION CONTACT: Magdalen Greenlief, by mail to her attention addressed to Box Comments—Patents, Assistant Commissioner for Patents, Washington, D.C. 20231; by telephone at (703) 305-8813; by facsimile transmission to (703) 305-8825; or by electronic mail through the Internet to "magdalen.greenlief@uspto.gov".

SUPPLEMENTARY INFORMATION: The PTO published a "Request for Comments on Proposed Internet Usage Policy" in the **Federal Register** on October 26, 1998 (63 FR 57101) and in the Official Gazette of the Patent and Trademark Office on November 17, 1998 (1216 OG 74). The proposed policy is being adopted without change. The attached guidelines for citing electronic information have been revised.

Discussion of Public Comments

Sixteen comments were received by the PTO in response to the request for comments. All comments have been fully considered. The comments generally support (1) the use of Internet e-mail for communications between applicant and the PTO, and (2) the use of the Internet to perform searches provided the confidentiality of pending patent applications is not compromised.

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION: Application Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction <input type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name:		Organizational Unit:	
Address (give city, county, state, and zip code):		Name and telephone number of the person to be contacted on matters involving this application (give area code)	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): <div style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; margin-top: 5px;"></div>		7. TYPE OF APPLICANT: (enter appropriate letter in box) <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District </div> <div style="width: 48%;"> H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) _____ </div> </div>	
8. TYPE OF APPLICATION: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision </div> If Revision, enter appropriate letter(s) in box(es): <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 30%;">A. Increase Award</div> <div style="width: 30%;">B. Decrease Award</div> <div style="width: 30%;">C. Increase Duration</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 30%;">D. Decrease Duration</div> <div style="width: 30%;">Other (specify): _____</div> </div>			
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: Fisheries Development and Utilization Research and Development Grants and Cooperative Agreements <div style="display: flex; align-items: center; margin-top: 5px;"> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; margin-right: 5px;">1</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; margin-right: 5px;">1</div> <div style="margin: 0 5px;">-</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; margin-right: 5px;">4</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center; margin-right: 5px;">2</div> <div style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">7</div> </div>		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: 	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): 			
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Date	a. Applicant b. Project	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____ b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
a. Federal	\$ _____ .00		
b. Applicant	\$ _____ .00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation. <input type="checkbox"/> No	
c. State	\$ _____ .00		
d. Local	\$ _____ .00		
e. Other	\$ _____ .00		
f. Program Income	\$ _____ .00		
g. TOTAL	\$ _____ .00		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
a. Type Name of Authorized Representative		b. Title	c. Telephone Number
d. Signature of Authorized Representative		e. Date Signed	

INSTRUCTIONS FOR THE SF 424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspects of this collection of information, including suggestions for reducing the burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal Agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

- | Item: | Entry: | Item: | Entry: |
|--|--------|---|--------|
| 1. Self-explanatory. | | 12. List only the largest political entities effected (e.g., State, counties, cities). | |
| 2. Date application submitted to Federal Agency (or state if (applicable) & applicant's control number (if applicable). | | 13. Self-explanatory. | |
| 3. State use only (if applicable). | | 14. List the applicant's Congressional District and any District(s) affected by the program or project. | |
| 4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank. | | 15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate <u>only</u> the amount of the change. for decreases, enclose the amount in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. | |
| 5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application. | | 16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. | |
| 6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service. | | 17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. | |
| 7. Enter the appropriate letter in the space provided. | | 18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.) | |
| 8. Check appropriate box and enter appropriate letter(s) in the space(s) provided:

___ "New" means a new assistance award.

___ "Continuation" means an extension of an additional funding/budget period for a project with a projected completion date.

___ "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. | | | |
| 9. Name of Federal agency from which assistance is being requested with this application. | | | |
| 10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is | | | |
| 11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project. | | | |

SALTONSTALL-KENNEDY PROJECT SUMMARY

Project Title:

Project Status/Duration:

New _____

Con't _____

Project Period: _____ Months

Name, Address, and Telephone Number of Applicant:

Principal Investigator(s) and Brief Statement of Qualifications:

Project Objective:

Specific Priority(ies) in Solicitation to Which Project Responds:

Summary of Work: (For continuing projects, include progress to date)

% of Total

PROJECT FUNDING: Federal \$ _____ %

Non-Federal \$ _____ %

Total \$ _____ 100 %

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NOTICE

Responses to this collection are required in order to obtain a grant under the Saltonstall-Kennedy Program (15 U.S.C. 713c-3(c)). Completion of this form is required for the grant application to be considered in fair and open competition with other applications. The information provided will be used as a quick reference to information on the project proposal, including applicant, priority addressed, funding requested, etc. Information on this form may be made available to the public. Public reporting burden for this collection of information is estimated to average one hour per response including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to the National Marine Fisheries Service, Office of Sustainable Fisheries, F/SF2, 1315 East West Highway, Silver Spring, MD 20910.

NOAA may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

INSTRUCTIONS FOR PROJECT BUDGET FORM (NOAA FORM 88-205)

Cost Sharing. For this solicitation, a minimum level of 10 percent cost sharing is required. NOAA must provide at least 50 percent of project costs, as required by statute. The degree to which cost sharing exceeds the 10 percent minimum level (up to the maximum 50 percent allowed) may be taken into account in the final selection of projects to be funded. Applicants whose proposals are selected for funding will be bound by the percentage of cost share reflected in the grant awards.

The non-Federal share may include funds received from private sources or from State or local governments or the value of in-kind contributions. Federal funds may not be used to meet the non-Federal share except as provided by Federal statute. In-kind contributions are non-cash contributions provided by the applicant or non-Federal third parties. In-kind contributions may be in the form of, but are not limited to, personal services rendered in carrying out functions related to the project, and permission to use real or personal property owned by others (for which consideration is not required) in carrying out the project.

The total costs of a project consist of all costs incurred in the performance of project tasks, including the value of in-kind contributions, to accomplish the objectives of the projects during the period the project is conducted. A project begins on the effective date of a grant or cooperative agreement between the applicant and an authorized representative of the U.S. Government and ends on the date specified in the award. Accordingly, the time expended and costs incurred in either the development of a project or the financial assistance application, or in any subsequent discussions or negotiations prior to award, are neither reimbursable nor recognizable as part of the recipient's cost share.

The appropriateness of all cost-sharing proposals, including the valuation of in-kind contributions, will be determined on the basis of guidance provided in OMB Circulars. In general, the value of in-kind services or property used to fulfill the applicant's cost share will be the fair market value of the services or property. Thus, the value is equivalent to the costs of obtaining such services or property if they had not been donated. Appropriate documentation must exist to support in-kind services or property used to fulfill the applicant's cost share.

PROJECT BUDGET FORM. NOAA Form 88-205 must be submitted with each application to support project funding. Cost estimates must be itemized by the Federal share and the non-Federal share. The non-Federal share may consist of cash and/or in-kind

contributions. Direct costs must be itemized in the categories provided. The budget may also include an amount for indirect costs if the applicant has an established indirect cost rate with the Federal Government. Documentation of Federal approval of indirect cost rates must be provided. Estimated indirect cost rates may be included pending approval of a negotiated Federal indirect cost rate. The Grants Officer will assist applicants in obtaining a negotiated Federal indirect cost rate if appropriate.

Budget Period: Enter the number of months the budget covers.

Budget Categories:

1. Personnel: Personnel costs should be itemized by salaries and fringe benefits.
 - (a) Salaries: List salaries by position title, percentage of time to be spent on the project and the cost.
(Example: Lab Technician; annual salary \$30,000; 30 percent of time on the project; cost \$9,000).
 - (b) Fringe Benefits (percentage and amount): This entry should be the proportionate cost of fringe benefits paid for the percentage of time spent on the project.
(Example: If an employee spends 30 percent of his/her time on the project, 30 percent of his/her fringe benefits should be charged to the project.)
2. Consultants: Identify consultants, specific tasks and work to be performed if not included in the proposal, and include budget for associated costs, including travel, per diem, and other related costs.
3. Contracts: Identify all work to be completed by contract and a budget for the estimated cost. If a commitment has been made prior to application for funding to contract with a particular vendor, identify the vendor, explain how the vendor was selected, type of contract, deliverables expected, timeframe, and costs. All contracts must meet the requirements established by OMB Circulars.
4. Travel: Identify the number of trips to be taken, destinations, purpose, and number of people to travel. Itemize the estimated costs to include approximate cost of transportation, per diem, and miscellaneous expenses. Registration fees should be included. All travel should be in compliance with the applicant's written travel policy.

5. Equipment and Furniture: Identify items of equipment and furniture purchase or rental costs and intended use. Justify purchase vs. rental.
6. Supplies: Identify specific supplies necessary for the accomplishment of the project.
7. Other Costs: Identify all other costs that are applicable to the project, such as office space.
8. Indirect Costs: This entry should be based on the applicant's established indirect cost rate with the Federal Government. Estimates may be included pending approval of a negotiated Federal indirect cost rate. Note: This program limits the indirect cost rate that may be charged to 25 percent of the total direct costs or the applicant's amount above the 25-percent level up to 100 percent as part of the non-Federal share. A copy of the current approved, negotiated Indirect Cost Agreement with the Federal Government must be included.
9. Program Income: Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the project narrative description the nature and source of income. The estimated amount of program income may be considered by the Federal grantor agency in determining the total amount of the grant.

PROJECT BUDGET
(See Instructions)

Budget Period: _____ Months

Federal Share

Non-Federal Share

Category		Cash	In-Kind
1) Personnel:			
a. Salaries:			
b. Fringe Benefits:			
2) Consultants:			
3) Contracts:			

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PROJECT BUDGET
(See Instructions)

Federal Share

Non-Federal Share

Category		Cash	In-Kind
4) Travel:			
5) Equipment and Furniture:			
6) Supplies:			
7) Other Costs:			
Total Direct Costs:			
8) Indirect Costs:			
Totals:			

Totals: (Federal and Non-Federal): _____

9) Program Income:			
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NOTICE

Responses to this collection are required in order to obtain a grant under the Saltonstall-Kennedy Program (15 U.S.C. 713c-3(c)). Completion of this form is required in order for the application to be considered in fair and open competition with other applications. The information provided will be used to evaluate the appropriateness of the requested grant amount in terms of the work proposed. Information on this form will be treated as confidential for the purpose of determining the appropriateness of funding requested for a possible grant in accordance with 5 CFR 1320. Public reporting burden for this collection of information is estimated to average one hour per response including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to the National Marine Fisheries Service, Office of Sustainable Fisheries, F/SF2, 1315 East West Highway, Silver Spring, MD 20910.

NOAA may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

State Single Point of Contact

Designated State Single Points of Contact (SPOC) have been established for certain states under Executive Order 12372, Intergovernmental Review of Federal Programs. You must contact the SPOC, if your state has one, to see if applications to the S-K Program are subject to review. If SPOC clearance is required, you are responsible for getting that clearance in time to submit your application to the S-K Program by the deadline.

The current list of SPOCs is available via the S-K Home Page by selecting "Application Package in Adobe Acrobat," and then clicking item #6, "State Single Points of Contact," under "S-K Application Documents." You can also get the list of SPOCs from the "Catalog of Federal Domestic Assistance" at www.hhs.gov/progorg/grantsnet/laws-req/spoc399.htm.

ASSURANCES—NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; © Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a- 7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-33.3), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176© of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit Institutions.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE
APPLICANT ORGANIZATION		DATE SUBMITTED

CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS AND LOBBYING

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 26, "Governmentwide Debarment and Suspension (Nonprocurement)" and "Governmentwide Requirements for Drug-Free Workplace" and 15 CFR Part 28, "New Restrictions on Lobbying." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant or cooperative agreement.

1. DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

As requested by Executive Order 12549, Debarment and Suspension, and implemented at 15 CFR Part 26, for prospective participants in primary covered transactions, as defined at 15 CFR Part 26, Sections 26.105 and 26.110 -

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. DRUG-FREE WORKPLACE REQUIREMENTS

Alternate I. Grantees Other Than Individuals

As required by the Drug-Free Workplace Act of 1988, and implemented at 15 CFR Part 26, Subpart F, for grantees, as defined at 15 CFR Part 26, Sections 26.605 and 26.610 -

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's

workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about--

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that as a condition of employment under the grant, the employee will --

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the Director, Office of Federal Assistance, Office of Federal Assistance and Management Support, HCHB Room 6054, U.S. Department of Commerce, Washington, DC 20230. Notice shall include the identification numbers(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted--

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance: (Street address, city, county, state, ZIP code):

Check ☐ if there are workplaces on file that are not identified here.

Alternate I I. Grantees Who Are Individuals

As required by the Drug-Free Workplace Act of 1988, and implemented at 15 CFR 26, Subpart F, for grantees, as defined at 15 CFR Part 26, Sections 26.605 and 26.610 -

(A) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity within the grant;

(B) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the Director, Office of Federal Assistance, Office of Federal Assistance and Management Support, HCHB Room 6054, U.S. Department of Commerce, Washington, DC 20230. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

3. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000, or loan or loan guarantee over \$150,000, as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or

employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

NAME OF APPLICANT

AWARD NUMBER AND/OR PROJECT NAME

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE

DATE

CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION-LOWER TIER COVERED TRANSACTIONS AND LOBBYING

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 15 CFR Part 26, "Governmentwide Debarment and Suspension (Nonprocurement)" and 15 CFR Part 28, "New Restrictions on Lobbying."

1. DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION-LOWER TIER COVERED TRANSACTIONS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 15 CFR Part 26, Section 26.510, Participants responsibilities, for prospective participants in lower tier covered transactions (except subcontracts for goods or services under the \$25,000 small purchase threshold unless the subtier recipient will have a critical influence on or substantive control over the award), as defined at 15 CFR Part 26, Sections 26.105 and 26.110 -

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2 LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 15 CFR Part 28, for persons entering into a grant, cooperative agreement or contract over \$100,000 or a loan or loan guarantee over \$150,000 as defined at 15 CFR Part 28, Sections 28.105 and 28.110, the applicant certifies that to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, 'Disclosure Form to Report Lobbying,' in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, 'Disclosure Form to Report Lobbying,' in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

NAME OF APPLICANT

AWARD NUMBER AND/OR PROJECT NAME

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE

DATE

DISCLOSURE OF LOBBYING ACTIVITIES
Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____		
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known:		5. If Reporting Entity in No. 4 is Subawardee. Enter Name and Address of Prime: Congressional District, if known:		
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____			
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____			
<table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:50%; vertical-align: top;">10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):</td><td style="width:50%; vertical-align: top;">b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):</td></tr></table>			10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):
10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):			

(attach Continuation Sheet(s) SF-LLL-A, if necessary)

16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: _____
Print Name: _____
Title: _____
Telephone No.: _____ Date: _____

Federal Use Only:

Authorized for Local Reproduction
Standard Form - LLL

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for the collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

APPLICANT ELIGIBILITY

NOAA generally makes financial assistance awards to institutions of higher education, state and local governments, private nonprofit organizations, and commercial organizations.

Eligibility requirements for financial assistance programs are contained in the authorizing legislation and program regulations. Applicants should consult the authorizing legislation, program regulations, and request for applications published in the Federal Register to determine what requirements apply.

Eligible nonprofit organizations which have not previously received NOAA support must submit proof of their status with the application for assistance. Any of the following is acceptable evidence of status:

- * A reference to the applicant organization in the IRS's most recent list of tax exempt organizations under Section 501 (c) of the IRS Code;
- * A copy of a currently valid IRS tax exemption certificate;
- * A statement from a State taxing body or State Attorney General certifying that the applicant organization has nonprofit status and that none of the net earnings accrue to any private shareholders;
- * A certified copy of the organization's certificate of incorporation or similar document that clearly establishes nonprofit status; or,
- * Any of the above proof regarding a parent organization if one exists, and a statement signed by the parent organization that the applicant organization is a local nonprofit affiliate.

S-K PROGRAM APPLICATION RECEIPT ACKNOWLEDGMENT

TO BE COMPLETED BY APPLICANT

If you wish to receive notice of receipt of this application by the NMFS S-K Program, please complete the following information **AND** insert your name and address at the bottom of this page.

1) Legal Applicant Name: _____
Contact Person (i.e., Principal Investigator, Business Office Contact or State Agency Recipient):

2) Project Title: _____

Do not write below this line -- FOR AGENCY USE ONLY

APPLICATION RECEIPT ACKNOWLEDGMENT	Application received by:
Date Stamp Here	NMFS Proposal No Assigned:
	Phone: _____

NATIONAL MARINE FISHERIES SERVICE , NOAA
S-K PROGRAM
1315 East-West Highway
Silver Spring, Maryland 20910

S-K Grant Application Package - Items Required from Applicant
(An original and nine signed copies of the application package are required.)

1. SF-424, "Application for Federal Assistance."
2. NOAA Form 88-204, "Saltonstall-Kennedy Project Summary."
3. NOAA Form 88-205, "Project Budget." Provide necessary supporting detail (see enclosed guidelines).
4. SF-424B, "Assurances - Non-Construction Programs."
5. Copy of Current Approved Negotiated Indirect Cost Rate Agreement. (An indirect cost rate can be charged only if the applicant has an Approved Negotiated Indirect Cost Rate Agreement awarded by a Cognizant Agency.)
6. CD-511, "Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying."
7. CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying"
(required for subcontractors and retained by Applicant).
8. Statement of Work (narrative description of proposed activity, objectives, etc.).
9. Milestone Chart (show in increments, i.e. month 1, month 2; not specific dates).
10. Resumes for Principal Investigator(s).
11. If equipment is to be purchased, a purchase vs. lease statement, justifying purchase rather than lease.
12. If there are sole source subcontractors, a sole source justification.
13. Proof of Status for First Time Eligible Non-profit Applicants, if applicable.
14. Acknowledgment form for S-K Program (if receipt desired).
15. Acknowledgment form for Grants Management Division (if receipt desired).